

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

**LARRY L. WALKER and wife,  
CYNTHIA WALKER**

**Plaintiffs**

**v.**

**NO. 3:07-CV-00377  
JURY TRIAL DEMANDED**

**LOUISVILLE LADDER, INC.,**

**Defendant**

**LARRY AND CYNTHIA WALKER'S RESPONSE  
TO MOTION TO EXCLUDE OPINION TESTIMONY**

Come Larry Walker and Cynthia Walker, by counsel, and in Response to the Motion to Exclude Opinion Testimony of Mr. Stanley Kiska, P.E., Larry and Cynthia Walker file with the Court the following documents in Support of their Response:

1. Affidavit of Stanley A. Kiska, P.E. with attached Expert Disclosures dated October 17, 2008, October 24, 2008 and December 3, 2008.  
(Exhibit A).
2. Portions of the deposition of Larry Lee Walker which was taken on March 12, 2008. (Exhibit B).
3. Rationales for ANSI A14.2, 1983. (Exhibit C).

4. A Report on the Dynamic Testing of Ladders Contract CPSC-C-760052. (Exhibit D).
5. Louisville Ladder's Responses to Request for Production. (Exhibit E).
6. A DVD of an excerpt of the deposition of Larry Lee Walker taken on March 12, 2008. (Exhibit F).
7. A demonstrative video prepared by Stanley Kiska, P.E. of the climbing demonstration he performed in this case. (Exhibit G).
8. A videotape of the ladder testing performed by Mr. Kiska in this case on a similar model ladder to the ladder in question. (Exhibit H).

In addition, Plaintiffs file herewith a Memorandum in Support of their Motion in Response to Louisville Ladder's Motion to Exclude Opinion Testimony.

Respectfully submitted this the 10<sup>th</sup> December, 2008.

s/ W. Holt Smith  
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s/ J. Timothy Bobo by permission  
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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 10<sup>th</sup> day of December, 2008 a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties listed below. Parties may access this filing through the Court's electronic filing system.

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